

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.33706 of 2021**

Arising Out of PS. Case No.-93 Year-2020 Thana- KHAGAUL District- Patna

SATYENDRA KUMAR @ SATYENDRA YADAV SON OF LATE SUNIL  
YADAV R/O - DULLU CHAK (DALLU CHAK), P.S.- KHAGAUL,  
DISTRICT- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Ms.Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA  
ORAL ORDER**

2      21-12-2021                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Khagaul Police Station Case No. 93 of 2020, registered for the  
offences punishable under Sections 302/34 of the Indian Penal  
Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information  
Report, is that the son of the informant had gone to purchase  
medicine and while returning, he was shot at by the accused  
persons named in the First Information Report. It has been  
alleged that four persons were seen fleeing away from the place  
of occurrence by the nephew of the informant.

Learned Counsel for the petitioner submits that the



informant is not the eye-witness to the occurrence and the petitioner has been implicated in this case on the basis of hearsay statements of the nephew and co-villagers of the informant that the petitioner, along with other co-accused persons, was seen fleeing from the place of occurrence. He further submits that similarly situated co-accused persons, namely, Upendra Yadav (by order, dated 22.01.2021, passed in Criminal Misc. No. 29042 of 2020) and Anil Yadav (by order, dated 02.02.2021, passed in Criminal Misc. No. 37141 of 2020) have been granted bail by co-ordinate Benches of this Court. He next submits that the petitioner is in custody since 19.12.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that similarly situated co-accused persons have been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 19.12.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail,  
on furnishing bail bond of Rs. 10,000/- (ten thousand) with two  
sureties of the like amount each to the satisfaction of learned 5<sup>th</sup>  
Additional Chief Judicial Magistrate, Danapur, Patna, in  
connection with Khgaul Police Station Case No. 93 of 2020.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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